

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-10 are pending. Claims 1, 3-7 and 10 are amended. Claim 1 is independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Allowable Subject Matter

The Examiner states that claims 5-7 would be allowable if rewritten in independent form.

The Applicants thank the Examiner for the early indication of allowable subject matter in this application. However, none of claims 5-7 has been rewritten in independent form at this time, since it is believed that independent claim 1 from which these claims depend is allowable.

Examiner Interview

If, during further examination of the present application, any further discussion with the Applicants' Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings.

Claim for Priority

The Examiner has not acknowledged the Applicants' claim for foreign priority based on Swedish Application No. 0202879-3. Clarification is respectfully requested in the next official communication.

Information Disclosure Citation

Another Information Disclosure Statement is being filed concurrently submitting an English Abstract of DE 19947992, and a copy of EAAP Publication No. 65, of pages 338 to 345, by G. Wendl, X. Zenger, and H. Auerhammer.

Objection to the Specification

The Examiner has objected to the specification as not providing adequate antecedent basis for the subject matter of claims 8 and 9 as originally filed.

In response, and in accordance with MPEP §608.01(q), the Applicants herewith submit a substitute specification in the above-identified application. Also included is a marked-up copy of the original specification which shows the portions of the original specification which are being added and deleted. The Applicants respectfully submit that the substitute specification includes no new matter and that the substitute specification includes the same changes as are indicated in the marked-up copy of the original specification showing additions and deletions.

Because the number of amendments which are being made to the original specification would render it difficult to consider the case, or to arrange the papers for printing or copying,

the Applicants have voluntarily submitted this substitute specification. Accordingly, the Applicants respectfully request that the substitute specification be entered into the application.

Rejections Under 35 U.S.C. §103(a)

Claim 1-4 and 8-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Van den Berg EP 0713641 in view of Moskvina (U.S. 5,161,483).

This rejection is respectfully traversed.

The Examiner will note that claims 1, 3-7 and 10 have been amended merely to place them in a form more typical of U.S. practice.

Arguments Regarding Independent Claim 1

The Examiner will note that independent claim 1 as originally filed recites a combination of elements directed to a method for calibrating at least one milk meter in a milking system.

By contrast, as can be seen in the Abstract of EP 0713641, this document merely discloses a method of automatically milking animals, including comparing between the actual value of one or more sensors (23-26) for monitoring the milking process with an average value that is based on previous readings of the sensor(s). If one of the sensors (23-26) deviates to a certain extent, the sensor in question is indicated as not working properly. The automatic milking process is then stopped, so that the defect in the sensor can be repaired. EP 0713641 is silent about a milk meter.

Moskvin merely discloses an apparatus for calculating milk yield using a milk meter (See measurement chamber 8, in column 3, line 60; vacuum gauge 34, column 4, line 43, as shown in FIG. 1, for example).

Neither EP 0713641 nor Moskvin teaches or suggests anything about a method for calibrating a milk meter as set forth in independent claim 1 of the present invention. Therefore, Moskvin cannot make up for the deficiencies of EP 0713641.

At least for the reasons explained above, the Applicants respectfully submit that the combination of steps as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including EP 0713641 and Moskvin.

Therefore, independent claim 1 is in condition for allowance.

Dependent Claims

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

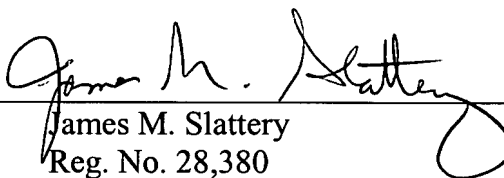
CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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Attachments: Revised Abstract and Substitute Specification